

Appl. No.09/898,740
Atty. Docket No. CM-2393
Amdt. dated
Reply to Office Action of March 31, 2003
Customer No. 27752

REMARKS

As a matter of review, Claims 1 – 3 and 6 – 17 are pending in the present application. Claims 4 and 5 have been canceled herewith without prejudice. Claim 1 has been amended to more particularly define the invention. Support for this amendment is found in the instant specification at page 4, lines 18 – 25. Claims 6 and 8 have been amended to correct a typographical mistake regarding the term “from”. Claim 8 has been amended to conform the second molecular weight number to U.S. convention. Finally, support for newly added Claim 17 is found in the Specification at page 8, lines 9-11.

With respect to the specification, the paragraph on page 3, lines 14 - 26 and the paragraph on page 8, lines 15 - 25 have been amended to correct typographical spelling errors.

Abstract:

The Examiner objects to the Abstract of the disclosure because it need not recite “The present invention relates to”. Applicants have amended the Abstract in accordance with the recommendation of the Examiner.

Specification:

The Specification is objected to because of the following informalities: the copending applications on page 36, line 13; page 44, line 26; page 45, lines 12-13; page 47, line 3; page 49, line 24; page 50, line 30; and page 51, line 29, need to be updated. Applicants have updated the copending applications in accordance with the recommendation of the Examiner. Applicants note that as European Patent Application No. 96870013.8 cited on page 45, line 13, was never published, it has been replaced with the equivalent U.S. Patent No. 6,077,818. With regard to the Examiner’s objection to page 50, line 30, Applicants respectfully note that there is no line 30 on page 50, and request the Examiner to clarify the specific copending application that is at issue.

Claim Objections:

The disclosure is objected to because of the following informalities: in Claims 4 and 5, the term “fibers” is misspelled as “fibres”; and in Claim 6, line 10, “imidazole” is misspelled. Applicants have cancelled Claims 4 and 5 without prejudice hence the objections to these claims are moot. Claim 6 has been amended in accordance with the Examiner’s recommendation. With regard to the spelling of the term “fibres” in the Specification as well as in newly amended Claim 1, Applicants respectfully point to page

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843 of Webster's Third New International Dictionary (a copy of which is attached hereto for the Examiner's convenience). As shown, this term may either be spelled "fibre" or "fiber" as both spellings are acceptable.

Rejections under 35 U.S.C. § 112:

Claims 6 and 7 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, in Claim 6, the term "PVPPV Amine" is not understood. Applicants have deleted the term "PVPPV Amine" from Claim 6. Additionally, the term "polyethylene imines" was inadvertently duplicated. Applicants have eliminated one of the duplications of this term in Claim 6 as requested by the Examiner. In Claim 7, the term "Tinofix FRD" is objected to as it is a trade name. Applicants have deleted "Tinofix FRD" from Claim 7. As the rejections under 35 U.S.C. § 112 have been overcome, Applicants respectfully request reconsideration and withdrawal of these rejections.

Rejections under 35 U.S.C. § 102:

Claims 1 - 6 and 9 - 16 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,694,364, issued to Edwards September 26, 1972 for the reasons of record stated on pages 3 and 4 of the Office Action.

Claims 1 - 6, 10 and 12 - 16 are rejected under § 102(b) as being anticipated by U.S. Patent No. 3,816,312, issued to Kleinschmidt June 11, 1974 for the reasons of record stated on pages 4 and 5 of the Office Action.

Claims 1 - 6, 8 - 9 and 13 - 15 are rejected under § 102(b) as being anticipated by U.S. Patent No. 4,876,023, issued to Dickenson et al. October 24, 1989 for the reasons of record stated on page 5 of the Office Action.

Claim 1, as amended by Applicants, requires *inter alia* that the sachet be comprised of fibers which do not exhibit an affinity for fugitive dyes and dirt, wherein the fibers are comprised of polypropylene, polyethylene, polyamide, polyethylene tetraphthalate, or mixtures thereof. Neither Edwards, Kleinschmidt, nor Dickenson teach or suggest expressly or inherently the sachet fiber composition as claimed by Applicants. Edwards teaches trapper cloths made of phosphorylated cotton (see Edwards column 2, lines 34 - 52). Kleinschmidt teaches trapper materials made of polyurethane (see Kleinschmidt page column 16, lines 55 - 65). Dickenson teaches fibers made of rayon, cellulose, ester, polyester, bicomponent fibers having a polyester core and polyethylene sheath, wool, silk, wood pulp, jute hemp, cotton, linen, sisal and ramie (see Dickenson

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column 2, lines 39 - 46). Furthermore, both Edwards (see Edwards column 1, lines 60 - 65) and Kleinschmidt (see Kleinschmidt column 7, lines 50 - 60) teach "trapper" materials that are comprised of materials which do exhibit affinity for fugitive dyes and dirt. Hence, in light of the amendments to Claim 1, the 35 U.S.C. §102(b) rejections are overcome.

Rejections under 35 U.S.C. § 103:

Claims 1 - 6 and 9 - 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,698,476, issued to Johnson et al. December 16, 1997 for the reasons of record stated at pages 6 and 7 of the Office Action.

Claim 1 of the instant application as amended requires *inter alia* that the sachet be comprised of fibers which do not exhibit an affinity for fugitive dyes and dirt. Johnson teaches a support matrix with an affinity for dyes such that fugitive dyes impart a color to the underlying support matrix, thus providing the two-fold benefit of preventing redeposition of extraneous dyes onto other wash items, while simultaneously providing an indicator system for the manifestation of such scavenging process (see Johnson Abstract and column 7, lines 41 - 65). As Johnson teaches a support matrix which has an affinity for dyes, it teaches away from the instant invention. Hence, the instant invention is unobvious over Johnson. In light of the amendments to Claim 1, Applicants respectfully request that the Examiner reconsider and withdraw this rejection.

Claims 7 - 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson as applied to the above claims, and further in view of U.S. Patent No. 5,698,476, issued to Van Leeuwen et al. June 15, 1999 for the reasons of record stated on pages 7 and 8 of the Office Action. As discussed above, Johnson teaches a support matrix with an affinity for dyes such that fugitive dyes impart a color to the underlying support matrix. Van Leeuwen teaches a substantially water insoluble dye transfer inhibition agent. Even if these two references were combined, they still would offer no motivation or suggestion to one of ordinary skill in the art to comprise a laundry additive sachet comprised of fibers which do not exhibit an affinity for fugitive dyes and dirt. Therefore, as the claimed invention is not obvious over Johnson in view of Van Leeuwen, Applicants respectfully request that the Examiner reconsider and withdraw the rejection under 35 U.S.C. § 103(a).

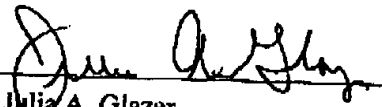
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Conclusion

Claims 4 and 5 stand canceled herewith without prejudice. New Claim 17 is added. No new matter is added and no additional claims fee is believed due.

In light of the above remarks, it is respectfully requested that the Examiner reconsider and withdraw the objections and the rejections under 35 U.S.C. § 112, 35 U.S.C. § 102, and 35 U.S.C. § 103. Applicants have made an earnest effort to place the instant application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, Applicants respectfully request reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1 - 3 and 6 - 17.

Respectfully submitted,
Antonella Porta, et al.

By 
Julia A. Glazer
Attorney for Applicants
Registration No. 41,783
(513) 627-4132

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Customer No. 27752